

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WEST PENN ALLEGHENY HEALTH
SYSTEM, INC.,

Plaintiff,

09cv0480

ELECTRONICALLY FILED

v.

UPMC and HIGHMARK, INC.,

Defendants.

HEARING MEMO

Initial Status / Case Management Conference

Date hearing held: 7/30/09

Before Judge Arthur J. Schwab

Counsel for Plaintiff	<u>Andrew Fletcher, Barbara Mather, Barbara Sicalides</u>
Counsel for Defendant	<u>for UPMC: Jonathan Jacobson,</u> <u>Paul Titus</u> <u>for Highmark: Daniel Booker, Jeffrey Bresch,</u> <u>P. Gavin Eastgate</u>
Court Reporter	<u>Sandra Wenger</u>
Law Clerk/Deputy Clerk	<u>Nicole Moschetta</u>
Start time	<u>9:00 am</u>
End time	<u>10:45 am</u>

NOTED:

Court discusses ADR process(es); Parties agreed to Early Neutral Evaluation to be completed by 9/15/09; Parties further agreed to Mediation to be completed by 10/30/09, after discussing potential mediators with the Court. Court orders parties to file a supplemental ADR form regarding mediation.

Court hears extensive oral argument on pending motions to dismiss.

Court establishes an agreed-upon schedule for the filing of an amended complaint by 8/28/09, motions to dismiss by 9/18/09, responses to motions to dismiss by 10/2/09, replies by 10/9/09, and sur-replies by 10/16/09.

With consent of counsel and the parties, Court meets in chambers with principals of all parties. Court reminds counsel to be familiar with, and to follow, the Court's Practices and Procedures.

